

REMARKS

The Office Action mailed July 28, 2005 has been received and the Examiner's comments carefully reviewed. Claims 12-13 and 28-29 have been amended. Claims 35-36 have been added. Support for the amendments to the claims and for new claims 35-36 is found in the specification, for example, on page 7 at lines 5-31, on page 5 at lines 27-30, and in the Figures, e.g., FIG. 3. No new subject matter has been added.

Claims 12-17 and 28-36 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

Examiner Interview

Applicants' below signed representative conducted a telephone interview with Examiner Pahng and Supervisory Examiner Derris Banks on October 27, 2005. The interview was directed toward proposed claim amendments to address the Examiner's concerns regarding the art cited in the Office Action of July 28, 2005. The Examiners indicated Applicants' amendments do address the art rejections cited, however, patentability will be further considered upon completion of a final art search. It was also agreed that the pending 112 rejection will be withdrawn. Each of the Examiners is thanked for the interview.

Rejection Under 35 U.S.C. §112

In the telephone interview of October 27, 2005, it was agreed that the rejection of claims 12-17 and 28-34 under 35 U.S.C. §112, second paragraph, will be withdrawn. Applicants believe no further comments are necessary.

Rejections Under 35 U.S.C. §102

I. The Examiner rejected claims 12-15, 28-31 and 34 under 35 U.S.C. §102(b) as being anticipated by Zehr (U.S. Publication No. 2002/0056773). Applicants respectfully traverse this rejection, but have amended claims 12-13 and 28-29 to advance this application to allowance. Applicants reserve the right to pursue the original subject matter via a continuing application.

Zehr discloses a hammermill for use on a grinder. The hammermill includes first and second end walls 46, 48 that support bars 44. The preferred bars 44 are rectangular in cross-section. Other cross-sectional shapes of bars are possible, such as round, square, triangular, oval, etc. Paragraph 0028.

A. Claims 12-15

Claim 12 recites a grinding machine having a grinding drum and an anvil. The anvil includes a wedge-shaped portion and a rectangular portion. The wedge-shaped portion includes a tapering surface that extends from a first reference point to a second reference point. The anvil is located such that the second reference point of the tapering surface is located farther from an axis of rotation of the grinding drum than the first reference point.

The Examiner states that Zehr discloses a wedge-shaped anvil by Zehr's mention that that bars 44 can include cross-sectional shapes other than the preferred rectangular shape. Applicants respectfully traverse this assertion, however, have amended claim 12 to incorporate limitations as to the orientation of the anvil in relation to the grinding drum. Zehr does not teach or suggest an anvil oriented in the particular orientation recited in claim 12. Accordingly, Applicants respectfully submit that independent claim 12 and dependent claims 13-15 are now in condition for allowance.

B. Claims 28-31 and 34

Claim 28 recites a grinding machine having a grinding drum and an anvil. The anvil includes a wedge portion and a rectangular portion. The wedge portion is defined by a tapering surface. The anvil is located in relation to the grinding drum such that during operation, the tapering surface of the wedge portion receives the impact of perpendicular forces generated by the grinding drum.

At least for similar reasons as discussed with regards to claim 12, Applicants respectfully submit that independent claim 28 and dependent claims 29-31 and 34 are now in condition for allowance.

II. The Examiner rejected claims 28, 30 and 34 under 35 U.S.C. §102(b) as being anticipated by Mankoff (U.S. Patent No. 2,209,277). Applicants respectfully traverse this rejection, but have amended claim 28 to advance this application to allowance. Applicants reserve the right to pursue the original subject matter via a continuing application.

Claim 28 has been amended to recite a grinding machine having an anvil including a wedge portion and a rectangular portion. Mankoff does not disclose an anvil having a wedge portion and a rectangular portion. At least for this reason, Applicants respectfully submit that independent claim 28 and dependent claims 30 and 34 are patentable.

Rejections Under 35 U.S.C. §103

I. The Examiner rejected claims 15, 16, 31 and 32 under 35 U.S.C. §103(a) as being unpatentable over Zehr (U.S. Publication No. 2002/0056773) in view of Hundt (U.S. Patent 5,975,443). Claims 17 and 33 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Zehr (U.S. Publication No. 2002/0056773) in view of Hundt (U.S. Patent 5,975,443), further in view of Mankoff (U.S. Patent 2,209,277). In addition, claims 15-17 and 31-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mankoff (U.S. Patent 2,209,277) in view of Zehr (U.S. Publication No. 2002/0056773), further in view of Hundt (U.S. Patent 5,975,443). Applicants respectfully traverse these rejections.

Claims 15-17 depend upon claim 12. Claims 31-33 depend upon claim 28. In view of the remarks regarding independent claims 12 and 28, further discussion regarding the independent patentability of dependent claims 15-17 and 31-33 is believed to be unnecessary. Applicants respectfully submit that dependent claims 15-17 and 31-33 are in condition for allowance.

II. The Examiner rejected claims 12-15, 29 and 31 under 35 U.S.C. §103(a) as being unpatentable over Mankoff (U.S. Patent 2,209,277) in view of Zehr (U.S. Publication No.

2002/0056773). Applicants respectfully traverse this rejection, but have amended claim 12 to advance this application to allowance.

A. Claims 12-15

At least for similar reasons as discussed above, Applicants respectfully submit that neither Zehr nor Mankoff teach or suggest an anvil having a wedge-shaped portion and a rectangular portion oriented in the particular orientation recited in claim 12. Accordingly, Applicants submit that independent claim 12, and dependent claims 13-15 are patentable.

B. Claims 29 and 31

Claims 29 and 31 depend upon claim 28. In view of the remarks regarding independent claim 28, further discussion regarding the independent patentability of dependent claims 29 and 31 is believed to be unnecessary. Applicants submit that dependent claims 29 and 31 are in condition for allowance.

New Claims 35 and 36

New claims 35 and 36 each depend upon claim 12. At least for the reasons discussed above with regards to independent claim 12, Applicants respectfully submit that claims 35 and 36 are patentable.

SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 12-17 and 28-36) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.


Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.



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Respectfully submitted,

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